

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON**

**JACOB A. SURMEYER,**

**Plaintiff,**

v.

**KILOLO KIJAKAZI**, Acting Commissioner  
of Social Security,

**Defendant.**

Case No. 3:22-CV-00819-IM

**ORDER GRANTING STIPULATED  
MOTION FOR ATTORNEY'S FEES  
UNDER 28 U.S.C. § 2412**

Kevin Kerr, Kerr Robichaux & Carroll, P.O. Box 14490, Portland, Oregon 97293. Attorney for Plaintiff.

Natalie K. Wight, United States Attorney, and Renata Gowie, Assistant United States Attorney, United States Attorney's Office, 1000 SW Third Avenue, Suite 600, Portland, Oregon 97204; Edmund Darcher, Office of the General Counsel, Social Security Administration, 701 Fifth Avenue, Suite 2900 M/S 221A, Seattle, WA 98104. Attorneys for Defendant.

The parties, through their respective counsel, have hereby stipulated and agreed to Plaintiff's Motion for Attorney's Fees. ECF 12. Accordingly, Plaintiff's Motion for Attorney's Fees is GRANTED, and it is hereby ORDERED that attorney's fees in the amount of \$563.88 shall be awarded to Plaintiff pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412.

Attorney's fees will be paid to Plaintiff's attorney, dependent upon verification that Plaintiff has no debt which qualifies for offset against the awarded fees and costs, pursuant to the Treasury Offset Program as discussed in *Astrue v. Ratliff*, 560 U.S. 586 (2010).

If Plaintiff has no such debt, then the fees shall be delivered via electronic funds transfer or by check made out to Plaintiff's attorney and mailed to Plaintiff's attorney's office as follows: Kevin Kerr, Kerr Robichaux & Carroll, P.O. Box 14490, Portland, Oregon 97293. If Plaintiff has a debt, then any remaining funds after offset of the debt shall be made available to Plaintiff and sent via electronic funds transfer or by check mailed to Plaintiff's attorney's office at the address stated above.

**IT IS SO ORDERED.**

DATED this 17th day of February, 2023.

/s/ Karin J. Immergut  
Karin J. Immergut  
United States District Judge